

INTERVENOR

#1 DD

18/759

ELLIOTT & ELLIOTT, P.A.
ATTORNEYS AT LAW
721 OLIVE STREET
COLUMBIA, SOUTH CAROLINA 29205
ccook@elliottlaw.us

CHARLES H. COOK
OF COUNSEL

TELEPHONE (803) 771-0555
FACSIMILE (803) 771-8010

September 8, 2006

Charles L. A. Terreni, Esquire
Chief Clerk of the Commission
SC Public Service Commission
101 Executive Center Drive
Columbia, S.C. 29210

RECEIVED
2006 SEP -8 PM 2:24
SC PUBLIC SERVICE
COMMISSION

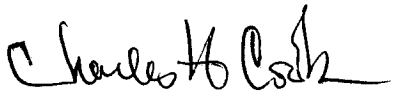
RE: Application of Wyboo Plantation Utilities, Inc. for an Increase in Its Rates
and Charges for Water and Sewer Service
Docket No. 2005-13-WS

Dear Mr. Terreni:

Enclosed please find for filing an original and ten (10) copies of the Petition to Intervene of the Wyboo Plantation in the above-captioned matter. Also enclosed is an extra copy which I would ask you to date stamp and return to me via my courier. By copy of this letter, I am serving all parties of record.

If you have questions, please feel free to contact me.

Very truly yours,



Charles H. Cook

CHC/jcl

Enclosures

c: All parties of record (w/Encl.)

RETURN DATE: 09/11/06
SERVICE: 09/11/06

ORIGINAL

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2005-13-WS

RECEIVED
2006 SEP -8 PM 2:24
SC PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

APPLICATION OF WYBOO
PLANTATION UTILITIES, INC.
FOR APPROVAL OF NEW
SCHEDULE OF RATES
AND CHARGES FOR WATER
AND SEWER SERVICES

PETITION TO INTERVENE

The Wyboo Plantation Owners Association, Inc. (Petitioner) hereby petitions the South Carolina Public Service Commission (Commission) pursuant Rule R. 103-836 of the Commission's Rules of Practice and procedure, to intervene as a party of record in the above-referenced Docket. In support of this Petition, Petitioner states the following:

1. On August 17, 2006, Wyboo Plantation Utilities, Inc. (Applicant) filed an application with the Commission seeking a new schedule of rates and charges for water and sewer service for its customers in Clarendon County, South Carolina.
2. The Commission has assigned Docket No. 2005-13-W/S to this matter.
3. Petitioner is a South Carolina incorporated non-profit association organized for the purposes, inter alia, of providing representative self-government to the owners and residents of the Wyboo Plantation community and ownership, maintenance and use of the community's common properties for the benefit of the owners and residents of the Wyboo Plantation community.

4. The Petitioner's common properties owned, maintained and used by the Petitioner include facilities for which Petitioner purchases water and sewer service from the Applicant.
5. Petitioner is authorized to take such actions as are necessary for the health, welfare, safety and common good of the community.
6. Petitioner would intervene herein in its representative capacity on behalf of the owners and residents of the Wyboo Plantation community who are water and sewer service customers of Applicant and in its individual capacity as a water and sewer service customer of Applicant; accordingly, Petitioner has a direct and material interest in the issues to be addressed and resolved by the Commission in this Docket and would oppose the application filed by the Applicant for adjustment in rates and charges for the provision of water and sewer service, and would oppose any rates and charges requested which are not just and reasonable nor based upon sound and verifiable cost analysis.
7. Petitioner further vigorously opposes the motion of applicant for an interim order concerning treatment on water connection fees prior to an evidentiary hearing having been held.
8. Petitioner intends to present testimony and exhibits at any evidentiary hearing before the Commission in this Docket. Because the issues are only generally defined at this preliminary stage of the proceeding, Petitioner is unable to give a reliable estimate of how much time it would require to present its evidence at a hearing including the number of witnesses; however, Petitioner will provide an estimate prior to the commencement of any hearing.
9. Petitioner's address is: Route 4, Box 693, Manning, South Carolina 29102.

10. In accordance with Rule R. 103-804(s) of the Commission's Rules of Practice and Procedure, Petitioner is represented by the below listed counsel in this proceeding:

Charles H. Cook, Esquire
Scott Elliott, Esquire
Elliott & Elliott, P.A.
721 Olive Street
Columbia, South Carolina 29205
Telephone: 803-771-0555
Fax: 803-771-8010

WHEREFORE, Petitioner prays for the following relief:

- a. That this Petition to Intervene be accepted and that Petitioner be made a party of record;
- b. That Petitioner be allowed to participate fully in this proceeding and take such positions as it deems advisable; and
- c. For such other and further relief as is just and proper.



Charles H. Cook, Esquire
Scott Elliott, Esquire
ELLIOTT & ELLIOTT, P.A.
721 Olive Street
Columbia, SC 29205
Telephone: 803-771-0555
FAX: 803-771-8010
Attorney for Petitioner, Wyboo Plantation
Owners Association

Columbia, South Carolina

September 8, 2006

CERTIFICATE OF SERVICE

The undersigned employee of Elliott & Elliott, P.A. does hereby certify that (s)he has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE: Application of Wyboo Plantation Utilities, Inc. for
Approval of New Schedule of Rates and Charges for Water
and Sewer Services

DOCKET NO.: 2005-13-WS

PARTIES SERVED: C. Lessie Hammonds, Esquire
Office of Regulatory Staff
P.O. Box 11263
Columbia, SC 29211

Wendy Cartledge, Esquire
Office of Regulatory Staff
P.O. Box 11263
Columbia, SC 29211

John F. Beach, Esquire
Ellis, Lawhorne & Sims, P.A.
P.O. Box 2285
Columbia, SC 29202

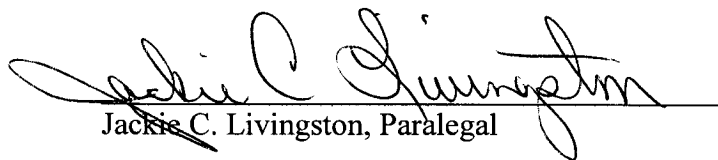
SC PUBLIC SERVICE
COMMISSION

2006 SEP -8 PM 2: 24

RECEIVED

PLEADING: PETITION TO INTERVENE BY WYBOO
PLANTATION OWNERS ASSOCIATION, INC.

September 8, 2006


Jackie C. Livingston, Paralegal